

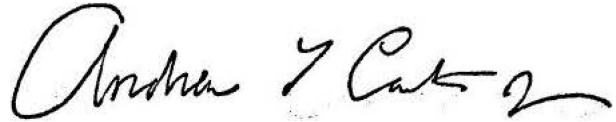
**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK****IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC, and Bernard L. Madoff,****Plaintiff-Appellee,****-against-****ABU DHABI INVESTMENT AUTHORITY,****Defendant-Appellant.****Adv. Pro. No. 11-02493****22-cv-09911 (ALC)****AMENDED ORDER****ANDREW L. CARTER, United States District Judge:**

On March 29, 2024, this Court affirmed in part and reversed in part the Bankruptcy Court's denial of Defendant Abu Dhabi Investment Authority's motion to dismiss the action. *See* ECF No. 22; *Picard v. Abu Dhabi Inv. Auth.*, No. 22-cv-09911 (ALC), 2024 U.S. Dist. LEXIS 57843 (S.D.N.Y. Mar. 29, 2024). In granting Defendant's motion for dismissal on sovereign immunity grounds as to one of the two relevant transfers, this Court recognized the limited detail of the evidentiary record on appeal. *Id.* at \*13 (“[N]either party has produced ADIA's executed redemption request form or indicated the precise date upon which ADIA allegedly made the redemption request”). From there, the Court also “recognize[d] the possibility that” discovery on this issue might have streamlined its analysis. For the sake of clarity and the avoidance of doubt, the Court's language as to discovery does not constitute an implicit or explicit directive to the Bankruptcy Court to order further discovery on this issue. As Defendant points out in their supplemental briefing, such jurisdictional discovery ought to have been sought before the lower court in the first instance if so desired and is not ordered by this Court on appeal. The Bankruptcy Court is directed to dismiss all claims arising out of ADIA's March 2006 redemption.

To the extent necessary, if any, the Court's prior Opinion and Order is amended in accordance with this Amended Order. The Clerk of the Court is respectfully directed to terminate the motion docketed at ECF No. 24.

**SO ORDERED.**

**Dated: June 13, 2024**  
**New York, New York**

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written over a horizontal line.

**ANDREW L. CARTER, JR.**  
**United States District Judge**